

Report Criticizes Gas Drilling Enforcement

KEVIN BEGOS, Associated Press

PITTSBURGH (AP) — Pennsylvania regulators aren't inspecting tens of thousands of oil and gas wells even once a year, a new report says. But state officials say they're inspecting most new wells in the Marcellus Shale region, which is the right place to focus.

The report issued Tuesday by Earthworks, a Washington D.C. nonprofit, found that more than 66,000 active wells weren't inspected by the Department of Environmental Protection last year, and that many companies cited for violations aren't punished.

DEP spokeswoman Katherine Gresh said in a statement that the agency inspected 78 percent of newer shale gas wells last year, and that older conventional wells usually operate for decades without problems. She said that failing to note the major differences between old and new wells "is comparing apples to oranges and misleading the public."

Hydraulic fracturing, or fracking, has made it possible to tap into deep reserves of oil and gas but has also raised concerns about pollution. Large volumes of water, along with sand and hazardous chemicals, are injected underground to break rock apart and free the oil and gas. Contaminated wastewater from the process can leak from faulty well casings into aquifers, but it's often difficult to trace underground sources of pollution.

The Marcellus Shale formation exists across much of the state, and is the target of most new drilling in Pennsylvania. Fracking is required to release the gas from the shale.

Earthworks says the number of inspections don't meet the goal of DEP's own guidelines, even for new wells.

"There's at least a quarter of all new wells that aren't getting inspected. We still think that's not good enough," said Bruce Baizel, an Earthworks staff attorney.

Gresh said that a 1989 DEP statement on frequency of well inspections isn't a law, just a policy, and that drilling companies also are required to inspect their own wells and report any problems. The 1989 document states that the agency intends to inspect wells "at least once during each of the phases of siting, drilling, casing, cementing, completing, altering and stimulating a well."

Regulators contend that overall, water and air pollution problems are rare, but environmental groups and some scientists say there hasn't been enough research on those issues. The industry and many federal and state officials say the practice is safe when done properly, and many rules on air pollution and disclosure of the

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Published on Chem.Info (<http://www.chem.info>)

chemicals used in fracking are being strengthened.

Gresh also said that the number of inspections per well has risen from 5.3 in 2009 to more than 10 so far this year, and that the agency has made "rapid and significant field personnel staffing increases; and upgraded policies and regulations."

The Associated Press found that the staffing increases took place in 2009 and 2010, during the previous administration of Gov. Ed Rendell. DEP said in an email last month that it has budgeted for 202 employees in the oil and gas program since 2010.

However, the earlier budget increases for oil and gas oversight were substantial. Earthworks found that Pennsylvania now budgets more for oil and gas oversight than the state of Texas, which has far more wells.

"I do give them credit. They've increased their budget," Baizel said of Pennsylvania.

The Marcellus Shale Coalition, an industry group, said the Earthworks report is biased.

"In 2009, Marcellus Shale producers supported a well permitting fee increase which helped double PA DEP's regulatory staff at no taxpayer expense," spokesman Patrick Creighton said in a statement. He added that the report makes "false claims, contrary to the facts and readily available data, in an effort to grab a headline and spread fear."

Earthworks also said that other oil- and gas-producing states have similar problems.

Source URL (retrieved on 04/18/2015 - 1:14am):

http://www.chem.info/news/2012/09/report-criticizes-gas-drilling-enforcement?qt-recent_content=0